

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY, THE TWENTY FOURTH DAY OF DECEMBER,
TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE DR. JUSTICE: MOTILAL B. NAIK
AND
THE HON'BLE MR. JUSTICE: DALAVA SUBRAHMANYAM

W.P. No. 20327 of 2003

Between:

P. Vijaya Kumar

Petitioner
AND

Municipal Commissioner,
Tirupathi Municipality,
Tirupathi, Chittoor District

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, or order or direction, more particularly writ of Mandamus declaring the impugned notice vide Proc. Rc.No.3158/03/B1 dated 9-9-2003, where under the respondent directed the petitioner to submit bank guarantee for the 3 financial years i.e. 2003-2004, 2004-2005, 2005-2006 and also directed to pay current financial year bid amount in 2 instalments on or before 30-11-2003 as illegal, contrary to terms and conditions and the same is vitiated by arbitrariness, unreasonableness, illegality and irrationality and also direct the respondent to collect amount for only 6 months period for the financial year 2003-2004 since the left over period in the academic year is only 6 months i.e. October 2003 to March 2004.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and the High Court order dated 25-9-2003 and made herein upon hearing the arguments of Mr. B. Rama Krishna, Advocate for the Petitioner and of Mr. Bathi Reddy, S.C. for Tirupathi Municipality on behalf of Respondent, the Court made the following

ORDER:

“ At the request of counsel for respondent, Post on 19-1-2004.

In order to enable the counsel for the respondent to obtain instructions

with regard to refund of EMD amount time is granted till 19-1-2004.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Municipal Commissioner, Tirupathi Municipality, Tirupathi, Chittoor District
2. Two Spare Copies

MSR

HIGH COURT

DATE: 24-12-2003

ORDER

W.P.No. 20327 of 2003

DIRECTION

HIGH COURT

**DRAFTED BY: MSR
DRAFTED ON: 29-12-2003**

**Dr.MBNJ &
DSMJ**

**DATE: 24-
12-2003**

NOTE: POST ON 19-1-
2004

ORDER

W.P.No. 20327 of
2003

DIRECTION